*Previous references.*

P+J 204 of 93-94
Jud. Sh. 1-3.

1895-96.
~~190~~

( P+J )

File No. 64.

Serial Nos. 1-5

*Later references.*

20

# GENERAL AND REVENUE SECRETARIAT.

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*Serial Nos.* 1-5

**Part B. for**

---

SUBJECT.

Gratuities to be earned by Prisoners under the New Marks Rules.

---

117/J20 — 10/J — 5-7-95.

From The I. G. of Prisons.

Forwards a Copy of Proceedings No. 7-9 dated 5th July 95 explains the Scope of New Marks Rules.

13-8-95

2301/J To The I. G. of Prisons.

Approves of the above Scope

2

G. R. S. 58

the New Mark Rules and observes that they do not supersede those of 14th Sept. 1879 in so far as they relate to the gratuity and states that a Notification will be published in the Mysore Gazette

14-8-95.

3 2302/J

To

The Compiler

Notifies the mark rules applicable to prisoners in several jails in the province of Mysore.

4. Dis. 2150/J-335 387/J 9-9-95.

From

The Registrar to the I.G. of Prs.

Forwards for information of Govt. Copy of Proceedings No. 388-90 dated 9th Sept 95 in regard to the gratuities to be earned by prisoners under new mark rules.

5. 3827/J419 17-9-95.

To

The Registrar to the I.G. of Prs.

Records the above with approval

Indexed
Rangaswamy

(General Serial No. 30).

OFFICE OF THE DEWAN OF MYSORE. 117 6 JUL 1895

1895

From

The Registrar to the

Inspector General of Prisons in Mysore.

16

To

Genl

The ~~Chief~~ Secretary to the ~~Dewan~~ of Mysore.

Govt

Dated 5th July 1895

Despatched

Received

**Enclosures No.** one

General No. 10 J.

Forwards copy of this office Proceedings No 7-9 dated 5th July 1895 explaining the scope of the New Mark Rules introduced into the Jails in the Province of Bellysore

Jud 6/7/95

117

Submitted with reference (G.F.R: 196 of 1892.) & G.F.R: 45 of 1892 — vide 9-7-95.

The I.T. Councillor

9/7 Mary Lee

Central Jail Press, Bangalore.—26-4-94.—500.

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penal Secy

This file is incomplete & have wanted a good deal of valuable time in getting this it.

Where is the promised Order of 26 March as issued. Why ~~[illegible]~~ encumber the file with a lot of useless rubbish in the shape of proofs & not put up a Copy of the order as issued.

Did I see this order before issue? What did I say? ~~[illegible]~~

What is the Order of 15 Ultimo?

Where are the Tickets & Leave Rules. How are they affected by the rules Sanctioned in Proc. 26 March?

12/7/95

See written. It may be noted that Rules of 1879 Continue in force as regard granting

27/7/95

Recd 29/7/95

vide I. Comr's proposal

30/7

No 10

Bangalore 5th July 1895

GOVERNMENT OF MYSORE
SECTION Pld
FILE No. 640 95-96
SERIAL No. 1

From

The Registrar to the
Inspector-General of Prisons
in Mysore.

To

The General Secretary to the
Government of Mysore.

Sir,

* Pld 204 of 1893-94 N. 3. Adverting to the Proceedings of Government No. 16039 dated 15th Ultimo, sanctioning the introduction of the Madras Rules in force in the Madras Presidency into the Province of Mysore with certain modifications, I am directed to forward for the information of Government, a copy of this Office Proceedings No. 79 dated 5th July 1895. Explaining the scope of the new Rules.

I have the honor to be,

Sir,

Your most obedt Servant,

Hiraya Patrudkar

Deputy Registrar
during duty as Registrar

ZRR

Encl to No 1. 2

Proceedings of the Inspector-General of Prisons
GOVERNMENT OF MYSORE
in Mysore No 2-9

16
a

Bangalore 5th July 1895.

Read letter No 1552 dated 25th Ultimo from the Superintendent Bangalore Central Jail, stating that it would be necessary to alter paras 3 and 4 of the Mark Rules sanctioned by Government Notification No 16039 J 98b dated 15th June 1895, if they are intended to supersede the Ticket-of-leave Rules issued under the Notification of Government No 1937 dated 30th July 1892, and suggesting that the Mark Rules dated 14th September 1879, superseded by the present Rules, may be permitted to hold good in the case of prisoners who have already earned remission under those Rules, till their release.

J 73-92.

Read also letter from the Mysore Jail Superintendent No 682 dated 27th Ultimo, stating that he presumes that the Marks earned under the New Mark Rules do not carry with them a money reward, as was the case formerly, and requesting to be informed whether these Rules apply to those prisoners who are now earning remission under the Old Rules.

---

The Mark Rules now introduced apply to all convicted prisoners whose sentences

amounts to one year and upwards and do not supersede the Ticket of leave Rules which are applicable only to Life term Prisoners who are not recommittals, after they have undergone ten years imprisonment. These Prisoners will therefore earn remission under the New Mark Rules until the Expiry of the said ten years, when they will be admitted to the benefit of the Ticket of leave Rules. The amendment proposed by the Superintendent is therefore not necessary.

2. As regards Prisoners admitted to the benefit of the Mark Rules of 14th September 1879, the remission already earned by them will hold good, and they will hereafter earn remission under the New Rules.

3. It may here be observed that the New Rules supersede those of 14th September 1879, only in so far as the computation of Marks for earning remission is concerned. The New Rules do not at all affect the earning of gratuity referred to in Paras 3 and 4 of the Rules of 1879.

This may be ~~off~~ [illegible]

4. The Superintendents of the Bangalore

Encl. 6 to 1. 4

Central Jail and the Mysore Jail will be requested to favor the Inspector General with their opinion as to whether, as regards gratuity, the Rules in the Madras Jail Code may not be adopted with certain modifications

By Order.

/Signed/ V. A. Raja Ratna Mooda

Deputy Registrar

doing duty as Registrar

"Copy"

V. Raja Ratnamudi

Deputy Registrar

doing duty as Registrar

181

No: 2301 dt 13-8-95
J 496-92

Proceedings.

(17)

J 252

Read

Letter No 1095 July 1895 fr. the Regr. & Sessions Judge, submitting copy of proceedings for approval, No 7-995 ditto, in explanation of the new Remission Rules introduced in the Jails of the Province.

for approval

PJ
6408 95-96
2

Order.

The instructions conveyed in the Sessions Judge's proceedings read with the above are approved.

2. It is observed that the new remission Rules do not supersede those of the 14th Sept 1879 in so far as they relate to the granting of Gratuity, which continue in force.

3 A notification will accordingly be published in the Mysore Gazette.

31.7.95

To, Regr & the Sessions Judge
The Inspector General of Prisons
in Mysore

8-15²

(18) 6

pdf

SECTION: GOVERNMENT OF MYSORE
FILE No. 64 of 95-96
SERIAL No. 3

Notification

No: 2302
J.7.196-92

No 2302 Dated 14th Aug 195
J7.196-92

~~The following mark~~
~~Rules~~ sanctioned under
Govt Pro: No 1603 9-J986
dy 15th June 1895. ~~are~~
~~published for general~~
~~information~~

B. O

To,
The Compiler,
Mysore Govt Gazette
for publication.

General Secre-
tary

READ :—

The following letter from the Registrar to the Inspector General of Prisons, No. 1298 dated the 6th June 1894 :—

In reply to your letter No. 9110—J. 498-92 dated 17th December 1892, requesting the opinion of the Inspector General of Prisons as to what steps may be taken to bring the Remission Rules in force in Madras in uniformity with those in force in the Central Jail, Bangalore, the Inspector General of Prisons intimated that the Madras Rules may at once be applied to prisoners from the Civil and Military Station, and proposed that the same Rules may be extended even to Mysore prisoners.

2. The Government, in their letter No. 17418—196-92 dated 22nd April 1893, sanctioned the adoption of the Madras Rules in the case of prisoners from the Civil and Military Station, Bangalore, and accordingly they were brought into force on the 1st May 1893, as reported in this Office No. 469 dated 9th May 1893.

3. But the Government have not yet been pleased to give any reply regarding the extension of the same Rules to Mysore prisoners as proposed by the Inspector General of Prisons.

4. It may be observed that the Remission Rules now in force in the case of Mysore prisoners are so limited in their application that a great number of convicts, such as Recommittals, those sentenced to less than two years' imprisonment, and those who have not served half the period of their sentence, are totally excluded from the benefit of the Mark Rules. Hence there is no stimulus for these convicts to reform themselves by becoming more industrious, diligent and well-behaved. The Madras rules, however, are applicable to all convicts but those who are sentenced to less than one year's imprisonment. Again, the Mysore Rules, even where they apply, are not so very favorable as the Madras Rules, which prescribe no limit whatever to the period of remission to which a prisoner may qualify himself, whereas, under our Rules, the maximum remission that can be earned is not more than one-twelfth of the whole sentence or one-sixth of the term which remains to the convict when appointed warder or work-overseer, whichever is less.

5. For the reasons briefly quoted above, the Inspector General of Prisons considers the applicability of the Madras Rules of remission to Mysore prisoners also very desirable. I am therefore directed to send a printed copy of the Mark Rules now applied to the prisoners incarcerated in the Bangalore Central Jail under warrants of the Courts of the Civil and Military Station of Bangalore, and to request that early orders may be passed regarding the adoption of these Rules in the case of Mysore prisoners also, with the modifications suggested in para 4, clause (*a*), and explanation.

---

No. 16039—J. 986, DATED BANGALORE, 15TH JUNE 1895.

ORDER THEREON.—Government are pleased to sanction the recommendation of the Inspector General. The Mark Rules, as modified by the Inspector General, will be published in the *Mysore Gazette* for general information.

V. N. NARASIMMIYENGAR,
*General Secretary.*

To—The Registrar to the Inspector General of Prisons in Mysore.

Exd—K.S.

THE FOLLOWING MARK RULES, APPLICABLE TO PRISONERS UNDERGOING IMPRISONMENT IN THE SEVERAL JAILS IN THE PROVINCE OF MYSORE, ARE PUBLISHED IN SUPERSESSION OF THOSE PROMULGATED WITH NOTIFICATION No. 161 DATED THE 14th SEPTEMBER 1879,

1. For the purposes of these rules, convicted prisoners shall be divided into three classes, *viz*:—

I.—Thugs, robbers by administration of poisonous drugs and professional hereditary or specially dangerous criminals convicted of heinous organized crime, such as dacoity;

II.—Dacoits and other persons convicted of heinous organized crime who are not professional, hereditary or specially dangerous criminals;

III.—All other prisoners.

2. Every convicted prisoner whose sentence or aggregate of sentences, exclusive of any period awarded in default of payment of fine, amounts to one year or upwards, shall be eligible for marks under these rules, provided that, if such prisoner is under sentence of simple imprisonment, he shall not receive marks unless he voluntarily labours throughout the term of such imprisonment.

3. For the purposes of these rules a life-sentence shall mean—

25 years' imprisonment in the case of prisoners included in classes I and II;

20 years' imprisonment in the case of all other prisoners.

4. The remission earned under these rules shall have the following effects, *viz*:—

(*a*) In the case of a prisoner included in class I—

if under life-sentence, the period of remission shall shorten *pro tanto* the term of 25 years which must otherwise elapse before he becomes eligible for release;

if under sentence for a term of years, the period of remission earned shall be passed under such police surveillance as the Local Government may prescribe.

*Explanation.*—A prisoner included in class I and under sentence for life shall, at the expiry of 25 years, less remission earned, if he so desires and is capable of earning his livelihood, be released, irrespective of his age.

(*b*) In the case of a prisoner included in class II, whether under sentence for life or term, the period of remission earned shall be deducted from the sentence, and shall be passed under such police surveillance as the Local Government may prescribe.

(*c*) In the case of all other prisoners, remission earned shall reduce the sentence absolutely.

5. Every prisoner, who is entitled to earn remission under the foregoing rules, shall be brought under the Mark system on the first day of the calendar month next following that in the course of which he became a prisoner; provided that, if a prisoner, admitted under a sentence of less than one year, is subsequently sentenced to a further term which makes up the aggregate to one year, he shall, if otherwise eligible, and unless such subsequent sentence is inflicted on account of riot, escape, or repeated jail offences, commence to earn marks on the first day of the calendar month next following that in which the second sentence was passed.

6. Ordinary marks shall be awarded on the following scale, *viz* :—

(*a*) One mark daily for thoroughly good conduct and scrupulous attention to all jail regulations.

(*b*) One mark daily for industry and the due performance of the daily task imposed upon him.

(*c*) One mark daily for any day on which special diligence in work is shown.

7. In addition to any marks earned under the previous rule, convict warders shall receive four marks, convict overseers two marks and convict night watchmen one mark. But convict warders and overseers shall not be eligible for any additional mark under clause (*c*) of Rule 6. It will thus be possible for a night watchman, showing special diligence in work, to obtain four marks a day, which is likewise the maximum number obtainable by a convict overseer.

8. On Sundays and holidays, when ordinary jail industries are stopped, marks for conduct only may be earned, but prisoners employed on jail services may be awarded also marks for labour. Convict officers shall be awarded marks as on other days.

9. A prisoner in hospital shall receive marks for conduct only, provided that, he did not, by any improper action of his own after admission to jail, induce or aggravate the disease, on account of which he was admitted into hospital.

10. A convict sent to a Court under Regulation V of 1894 shall be credited during his absence with marks in the same way as a convict in hospital, provided that his presence before the Court has not been required in consequence of any offence committed by him and for which he is to be tried.

11. Special marks may be given for special service, such as—

(1) Assisting in detecting or preventing breaches of jail discipline or regulations.

(2) Success in teaching handicrafts.

(3) Special excellence of work.

(4) Protecting jail officers from attack.

(5) Assisting jail officers in case of outbreak, fire, etc.

(6) Economy in the wearing of clothing.

12. The Superintendent of a District Jail may award to the same prisoner not more than one hundred special marks for any one service or in any one quarter. The Superintendent of a Central Jail may in like manner award not more than five hundred special marks. When any number of special marks is awarded under this rule, a report thereof shall be made to the Inspector-General, setting forth the grounds of the award. All proposals for the award of more than the number of marks above indicated must be referred to the Inspector-General, who will submit for the orders of Government any case in which he proposes to award more than one thousand marks.

13. Marks and remmission may be forfeited for misconduct, and prisoners may be temporarily or permanently removed from the Mark system in accordance with the law, for the time being in force regulating jail offences and punishments; provided that, no prisoner shall receive marks for the day on which any offence is committed and that the Superintendent may restore to the benefits of the Mark system any prisoner removed therefrom.

14. The award of ordinary marks shall be made either by the Superintendent himself or, subject to his control and supervision, by the Deputy Superintendent, Jailor, Deputy Jailor or any other officer specially empowered in that behalf by the Inspector-General. The award of special marks shall be made only by the Superintendent or Inspector-General.

15. The officer awarding marks shall, before making the award, consult the prisoner's work-sheet and history-ticket, in which every offence proved against the prisoner must be carefully recorded. In the absence of any entry against the prisoner on any day, it shall be presumed that he has earned "ordinary" marks for that day. Ordinary marks shall be recorded in the presence of the prisoner weekly, fortnightly or monthly, as circumstances admit, and special marks shall be awarded as soon as possible after they have been earned. All marks shall be noted in the Mark Register, which shall be written up from the entries in the prisoner's history-ticket.

16. Every convict, coming under the operation of the Mark system, shall be entitled to a remission of one day of his sentence for every 24 marks earned by him. Marks shall be converted into remission and the actual remission earned shall be recorded, quarterly in the Mark Register. The amount of remission earned quarterly by each convict shall be intimated to him by the Superintendent at the first weekly inspection after the close of each quarter.

17. Remission being thus earned in days, shall be recorded in days in the Mark Register and shall not be converted into months or years.

18. In converting marks into quarterly remission, any balance of marks which remains after dividing by 24 shall be carried forward to the next quarter. In converting marks into remission at the end of a prisoner's sentence, if there is a balance of 12 and upwards remaining after dividing by 24, it shall be considered equivalent to one day's remission; any smaller balance shall be disregarded.

19. In the first week of each month, a list shall be made out of those prisoners, who, on the supposition that they will earn their full ordinary marks during the intervening period, will be entitled to release in the course of the month next ensuing. This list shall be submitted to the Superintendent, signed by him, and filed in the office. If the prisoner fails to earn the number of marks assumed in the list, or if from bad conduct he forfeits any of the marks already earned, the date of his release will be proportionately deferred; while if, on the other hand, he earns an additional number of marks, the date of his release will be proportionately advanced. As soon as he has earned such number of marks as entitles him to release, he shall, if otherwise eligible, be released by the Superintendent without further sanction or reference. The amount of remission finally earned shall be endorsed on the prisoner's warrant and the endorsement signed by the Superintendent.

20. When a prisoner is transferred from one Jail to another, a record shall be sent with him showing the amount of remission and the number of marks which stand to his credit. Prisoners transferred from one Jail to another shall be awarded marks for conduct during the period spent in transit, but not for industry, by the receiving Jail.

(General Serial No. 30).

GOVERNMENT OF MYSORE

1895

OFFICE OF THE
2150
J 335
DEWAN OF MYSORE

From

The Registrar to Government of Mysore

Inspector General of
Prisons in Mysore.

19

To

~~Genl~~
The ~~Chief~~ Secretary
to the ~~Dewan~~ of Mysore.
~~Govt~~

Dated 9th Septr/95.

Despatched

Received

**Enclosures No.**

General No. 387
J.

Forwarded for the information of Government a copy of this office Proceedings No 388-90 dated 9th Septr/95 in regard to the gratuities to be earned by prisoners under the New Mark Rules.

J 11/9/95

read:
12/9/95

Sir,

Submitted with references.

AV
13/9/95.

To
The 1st Comm with draft.
Dewan
14/9

Central Jail Press, Bangalore.—26-4-94.—500.

7

No 387

Bangalore 9th September 1895

(19)

From

The Registrar to the

Inspector General of Prisons

in Mysore.

PFJ.

64 of 96-96

4

To

The General Secretary to the

Government of Mysore.

Sir,

Adverting to the Proceedings of Government No 2301 dated 13th August 1895, I am directed to forward for the information of Government a copy of this Office Proceedings No 388-90 dated 9th September 1895, in regard to the gratuities to be earned under the New Market Rules.

PFJ 196-92

I have the honor to be,

Sir,

Your Most obdt Servant,

Registrar

TR

Encl to dl 4 19/a

Proceedings of the Inspector General of Prisons in Mysore

No. 388-90

Bangalore 9th September 1896.

Read letter No. 258 dated 20th Ultimo from the Superintendent Bangalore Central Jail, enquiring, with reference to the earnings to be paid to convicts under the Remission Rules, whether the expression "good mark" in para 4 of the old rules is to be construed as conduct mark, which is awarded at the rate of one pie per diem under the New Rules, and whether a gratuity is to be granted for the conduct mark only which will not exceed a pie daily, or whether a pie is to be given for every mark prescribed by the New Rules.

---

The expression "good mark" will be construed as equivalent to conduct mark specified in clause (a) of rule 6 of the New Rules, and a gratuity of one pie will be awarded daily for such mark only, and not for any other mark prescribed by the New Rules.

2. In this connection, it is also pointed out that as, under present arrangements, all prisoners sentenced to Transportation for life are not sent to the Andamans, but kept in imprisonment

9

in Mysore, the maximum term of imprisonment, namely 20 years prescribed by clause 2 of Rule ~~3~~ ~~"~~ ~~"~~ will apply to all prisoners sentenced to Transportation for life, till they are actually transported.

By Order

[Signed] V. A. Rajaratna Mooo[illegible]

Registrar

Copy

[illegible]

Registrar

[illegible]

No: 3827/419 of 17-9-95

(20)

Read.

Letter No: 387 of 9: Septr: 1895 from the Registrar to the Insp: Genl of Prisons in Lucknow forwarding with advertance to Govt Prov. No: 2301 of 12: Aug: 1895, J.F. 196-92

Copy of his Office Prov. No: 388-90 of 9: September 1895 regarding the gratuities to be earned under the New Mark Rules.

Order thereon.

Recorded with approval

Lucn 14/9/95

Genl Secretary

To

The Registrar to the Insp: Genl of Prisons in Lucknow